

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Gregory D. Caruth

Docket No. 5:09-CR-75-1H

Petition for Action on Supervised Release

COMES NOW Tiffany C. Peacock, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Gregory D. Caruth, who, upon an earlier plea of guilty to Interference with Commerce by Threats or Violence and Aiding and Abetting, in violation of 18 U.S.C §§ 1951 and 2, and Possession of a Firearm During and in Relation to a Crime of Violence and Aiding, in violation of 18 U.S.C. §§ 924(c)(1)(A) and 2, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on October 13, 2009, to the custody of the Bureau of Prisons for a term of 114 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for a period of 60 months. Gregory D. Caruth was released from custody on August 5, 2016, at which time the term of supervised release commenced.

On April 3, 2017, a violation report was submitted to the court reporting that the defendant tested positive for marijuana on March 10, 2017, and that the defendant has failed to comply with his payment agreement. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On May 10, 2017, the defendant provided a specimen which tested positive for marijuana. When confronted with the results, the defendant admitted to the use of marijuana and signed a voluntary admission. The defendant will be continued in substance abuse treatment and his level of drug testing will be increased. As a sanction for this conduct and in an effort to deter future drug use, we respectfully recommend that his supervision be modified to include three days in the custody of the Bureau of Prisons.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of three days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith
Supervising U.S. Probation Officer

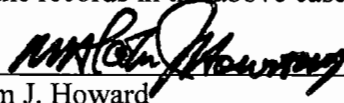
/s/ Tiffany C. Peacock

Tiffany C. Peacock
U.S. Probation Officer
150 Rowan Street Suite 110
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Executed On: May 22, 2017

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ORDER OF THE COURT

Considered and ordered this 24th day of May 2017, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge